



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF THE DIRECTOR

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June 7, 2006

Mary Jane Roberts, Buyer
Office of State Procurement
Department of Finance and Administration
1509 West 7th Street, 3rd Floor
Little Rock, AR 72201

Re: Advisory Opinion #483-06-07

Dear Ms. Roberts:

This letter is in response to your request for an advisory opinion, dated May 2, 2006, issued pursuant to AR Code Annotated Section 19-11-715(b). Your request for an advisory opinion is based on the following facts:

- 1) In your job as Buyer for the Office of State Procurement, you have recently been assigned the task of buying janitorial services for state agencies.
- 2) Your sister-in-law, Dianne Green, owns a company which provides such services, but she has assured you she has no interest in contracting with state agencies.
- 3) You are seeking an advisory opinion to determine what restrictions, if any, must be placed on Ms. Green's ability to contract with the state.

ACA Section 19-11-705 prohibits relatives of state employees involved in procurement from contracting with the state. In the case at hand, Ms. Greene's company would be prohibited from contracting through the OSP bidding process but would be allowed to respond to competitive (quote) bidding or small procurement as long as the procurement did not involve you or the Office of State Procurement.

This advisory opinion is issued in accordance with ACA Section 19-11-715(b) and compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Act and EO#98-04.

Sincerely,

Richard A. Weiss

RAW:cw

cc: Joe Giddis, Director, OSP